

Senate Bill 301

By: Senator Mullis of the 53rd

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to payment and disposition of fines and forfeitures, so as to provide for a technology fee to be collected in certain courts; to provide for the uses of said technology fee; to provide for technology boards in each judicial circuit; to provide an effective date; to provide for a repealer; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to payment and disposition of fines and forfeitures, is amended by adding a new Article 10 to read as follows:

"ARTICLE 10

15-21-160.

(a) In every case in which any magistrate, probate, state, or superior court shall impose a fine for any offense involving a criminal or traffic law of this state or any political subdivision thereof, there shall be imposed a technology fee of no more than \$5.00.

(b) In every civil action filed in any magistrate, probate, state, or superior court, there shall be imposed a technology fee of no more than \$5.00.

(c) No technology fee shall be imposed in any case in which the filing fee is waived by law or paid by a governmental entity.

(d) Within 30 days after the end of the month in which the fees were collected, the clerk of the court shall pay the fees into a specially designated technology fund to be administered by the governing authority of the largest county by population in the judicial circuit.

(e) The sums accumulated for the technology fees shall be used exclusively to provide for the technology needs of the judges, district attorneys, public defenders as defined by Code

1 Section 17-12-2, solicitors general, sheriffs, and clerks of the magistrate, probate, juvenile,
2 state, and superior courts in the judicial circuits. Such uses shall include the following
3 pursuant to guidelines promulgated by the Georgia Courts Automation Commission and
4 approved by the Judicial Council of Georgia:

5 (1) Secure the services of an employee or employees to manage, maintain, install, and
6 repair computer and networking hardware and software, to provide purchasing
7 information and recommendations, to provide technical assistance, to coordinate and
8 manage network, Internet, and other such data connections, and for any and all reasonable
9 and necessary related tasks;

10 (2) Computer hardware and software purchases;

11 (3) Lease, maintenance, and installation of computer hardware and software;

12 (4) Purchase, lease, maintenance, and installation of imaging, scanning, facsimile,
13 communications, projection, and printing equipment and software;

14 (5) Purchase, lease, maintenance, and installation of networking, Internet, and other
15 connectivity services to permit related offices to link and share information; and

16 (6) Contracts for any and all of the services provided for in paragraphs (1) through (5) of
17 this subsection with any individual, agency, or entity supplying such services, expertise,
18 or equipment.

19 15-21-161.

20 (a) The expenditure of any sums collected, the hiring, supervision, and termination of any
21 employee or employees, and all contracts entered into pursuant to this article shall be
22 subject to the approval, oversight, and supervision of a technology board.

23 (b) The technology board in each judicial circuit shall consist of the chief superior court
24 judge; a state court judge selected by the state court judges of the circuit; the chief juvenile
25 court judge; a probate court judge selected by the probate court judges of the circuit; a
26 magistrate court judge selected by the magistrate court judges of the circuit; a clerk of
27 superior court selected by the circuit clerks of court; the district attorney; the public
28 defender as defined by Code Section 17-12-2; a solicitor general selected by the solicitor
29 generals of the circuit; and a sheriff selected by the sheriffs of the circuit. The technology
30 board shall by majority vote select a chairperson to preside over its meetings.

31 (c) Each circuit technology board shall have an advisory panel composed of a
32 representative of the state probation office for the circuit, a chief of police selected by the
33 chiefs of police of the circuit, a court administrator selected by the court administrators of
34 the circuit, the district court administrator, and a representative of the county governing
35 authorities selected by the county governing authorities of the circuit.

1 15-21-162.

2 At the end of each state fiscal year beginning from the effective date of this Act, an amount
3 equal to 10 percent of the total amount of funds collected for the use of the technology
4 board during that year shall be remitted to the Georgia Courts Automation Commission for
5 redistribution on a competitive basis to other circuit technology boards not having
6 sufficient local resources to fund projects for their respective circuits pursuant to the
7 provisions of paragraphs 1-6 of subsection (e) of Code Section 15-21-160 of this Act. Any
8 funds not distributed by the Georgia Courts Automation Commission shall be returned to
9 the contributing individual circuit technology boards for their use and disposition under
10 Code Section 15-21-163 of this Act.

11 15-21-163.

12 At the end of each second state fiscal year beginning with the effective date of this Act, any
13 excess sums not expended or earmarked for the purposes specified in this Code section
14 shall be paid into the general fund of the county, or if there is more than one county in the
15 judicial circuit, into the general funds of the counties on a pro rata basis according to the
16 population of each county in proportion to the circuit as a whole.

17 15-21-164.

18 This Act shall apply to all civil cases filed on or after July 1, 2005 and to all criminal and
19 traffic offenses alleged to have occurred on or after July 1, 2005. The initial fee shall be
20 \$5.00. On July 1, 2006, the chief judge of superior courts of the circuit shall be authorized,
21 with the advice and consent of the technology board, to set the technology fee at an even
22 dollar figure less than \$5.00 by an order filed with the clerks."

23 **SECTION 2.**

24 This Act shall become effective on July 1, 2005.

25 **SECTION 3.**

26 All laws and parts of laws in conflict with this Act are repealed.